



Image

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/073,284
	Filing Date	February 13, 2002
	First Named Inventor	Hirokazu YAMAGATA et al.
	Group Art Unit	2823
	Examiner Name	S. Foong
Total Number of Pages in This Submission	Attorney Docket Number	740756-2435

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Response to Supplemental Communication <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Copy of June 10, 2003 response filed with PTO Stamped Receipt Card <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input type="checkbox"/> A self-addressed prepaid postcard for acknowledging receipt <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Jeffrey L. Costellia - Reg. No. 35,483 Nixon Peabody LLP 401 9 <sup>th</sup> Street, N.W. Suite 900 Washington, D.C. 20004-2128
Signature	
Date	November 20, 2003

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]	
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Date	Signature
	Typed or printed name



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: )  
Hirokazu YAMAGATA et al ) Group Art Unit: 2823  
Serial No. 10/073,284 ) Examiner: S. Foong  
Filed: February 13, 2002 )  
For: **LIGHT EMITTING DEVICE AND** )  
**METHOD OF MANUFACTURING THE** )  
**SAME** )

**RESPONSE TO SUPPLEMENTAL COMMUNICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

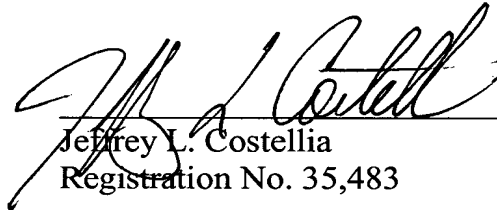
In response to the Supplemental Office Action of August 20, 2003, Applicants respond as follows. This Supplemental Office Action reset the time for responding to the Office Action of February 10, 2003 to restart from three (3) months from August 20, 2003.

In response to the Office Action of August 20, 2003, Applicants wish the Examiner to consider the response filed on June 10, 2003 as responsive thereto. Specifically, an Office Action was originally issued on February 10, 2003. Applicant filed a response on June 10, 2003 with a one-month extension of time. A copy of this response is enclosed herewith and should be used for responding to the Supplemental Office Action of August 20, 2003.

Based upon a review of PAIR, it does not appear that the U.S. Patent Office has entered the response filed in June 10, 2003 into the above-identified application since a Notice of Abandonment appears to have been issued in this case. A copy of the date stamped receipt card is enclosed herewith to evidence receipt of this response. The

Notice of Abandonment is incorrect for two (2) reasons since Applicant did respond timely to the February 10, 2003 Office Action **AND** the Supplemental Office Action of August 20, 2003 reset the date for response due to a Patent Office error in the Form PTO-892 included with the February 10, 2003. Consequently, the Patent Office should consider Applicant as having properly responded to the Office Action of February 10, 2003, as well as to the Supplemental Office Action of August 20, 2003. In view of the foregoing, consideration and allowance of the instant application are respectfully requested.

Respectfully submitted,



Jeffrey L. Costellia  
Registration No. 35,483

NIXON PEABODY LLP  
401 9<sup>th</sup> Street, N.W., Suite 900  
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(202) 585-8080 fax

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

This will acknowledge receipt of the following:

1. Transmittal with Fee Transmittal by Certificate of Mailing
2. Request for Extension of Time (1 month) by Certificate of Mailing
3. Letter Submitting Formal Drawings (1 sheet/Fig. 2) by Certificate of Mailing
4. Amendment by Certificate of Mailing
5. Check No. 8070 for \$110.00 (\$110.00- EOT)

In re Patent Application of:

Hirokazu YAMAGATA et al.

Serial No.: 10/073,284

Filed: February 13, 2002

Title: LIGHT EMITTING DEVICE AND METHOD OF MANUFACTURING THE SAME

Due Date: 06-10-03

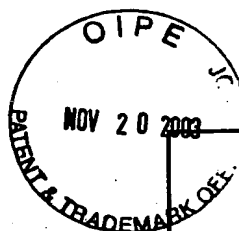
Docket No. 740756-2435

JLC/plp

Date: June 10, 2003

**PLEASE DATE STAMP AND RETURN**





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	Filing Date	February 13, 2002	
	First Named Inventor	Hirokazu YAMAGATA et al.	
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<input type="checkbox"/> After Final	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Application Data Sheet
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 (740756-2435) for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Jeffrey L. Costellia, Reg. No. 35,483 Nixon Peabody LLP 8180 Greensboro Drive Suite 800 McLean VA 22102
Signature	
Date	June 10, 2003

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Signature:	
Name:	Pamela L. Patrick



Attorney's Docket No. 740756-2435

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: )  
Hirokazu YAMAGATA et al. ) Group Art Unit: 2823  
Serial No. 10/073,284 )  
Filed: February 13, 2002 ) Examiner: S. Foong  
For: LIGHT EMITTING DEVICE AND )  
METHOD OF MANUFACTURING THE )  
SAME )

LETTER SUBMITTING FORMAL DRAWINGS


Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action of February 10, 2003 for the above-captioned patent application, the Applicants submit one sheet of formal drawings, containing Figure 2, which has been amended to recite that the Figure 2 is "Prior Art". The changes were made in order to comply with the requirements of 37 C.F.R. 1.83 and MPEP Chapter 608.02. No new matter has been added. Approval and entry is respectfully requested.

Respectfully submitted,

By:

  
Jeffrey L. Costellia  
Registration No. 35,483

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8180 Greensboro Drive, Suite 800  
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Telephone: (703) 770-9300  
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JLC/JWM

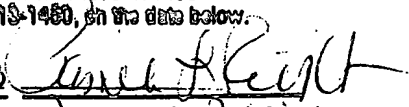
NVA267355.1

**Certificate of Mailing - 37 CFR 1.8(a)**

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6/10/03

  
Pamela R. Rick